

Application Serial No. 09/943,784
Date November 1, 2004

Page 11

REMARKS

Upon entry of this Amendment, claims 1-41 remain in the Application.

The Office Action of July 15, 2004, the Communication of October 1, 2004, and the Notice of Non-Compliance Amendment dated October 15, 2004 have been received and carefully considered. In response to these documents, this Supplemental Amendment is submitted. It is submitted that, by this Amendment, all bases of rejection and objection are traversed and overcome. Reconsideration is, therefore, respectfully requested. This Supplemental Amendment includes responses to the Amendment previously submitted on September 20, 2004, as well as responses to the two more recent communications (10/1/04 and 10/15/04)

STATEMENT OF SUBSTANCE OF INTERVIEW

Examiner Niland is thanked for the courtesies extended during the telephone interview of September 27, 2004. During this interview, the rejection of the claims under 35 U.S.C. § 112, first and second paragraph, was discussed. Proposed amendments to the claim language were discussed and reviewed. No agreement as to allowance was formally reached. However, the Examiner indicated that he would consider the proposed amendments to the claim language as set forth in the amended claims contained in this response.

Pursuant to the communication of October 1, 2004, the present Statement of Substance of Interview is submitted.

Specifically on September 27, 2004, a telephonic interview was conducted between Examiner Patrick Dennis Niland of the United States Patent Office and Denise M. Glassmeyer, attorney for the Applicant, Registration No. 31,831. No exhibits or prior were discussed. All claims were discussed, with particular attention being directed to claims 1, 20, 33, 36, and 38. Proposed claims for purposes of discussion were submitted by facsimile to Examiner Niland for consideration and comment. These claims have been appended to the Interview Summary signed by Examiner Niland dated October 1, 2004.

Application Serial No. 09/943,784
Date November 1, 2004

Page 12

Agreement was reached regarding allowability of the claims with changes as proposed by the Examiner. Denise Glassmeyer indicated that an amendment would be submitted that addressed these changes. Accordingly, an amendment was submitted dated September 30, 2004 incorporating the changes to the appropriate claims. This amendment represents a good-faith effort to formally amend all claims in the manner consonant with the Interview. If any matters were omitted or overlooked, it is submitted that the omission or error was inadvertent. The Examiner is cordially invited to contact Denise M. Glassmeyer at the address listed below to resolve any such situation should it arise.

The attorney also informed the Examiner of the addition of a new inventor. The Examiner indicated that this would require further inquiries by the Examiner as to how such a case should be handled.

Separate petitions to add an inadvertently omitted inventor in the above-identified matter are being filed concurrently with this Statement.

RESPONSE TO OFFICE ACTION

Claims 1-35 currently stand rejected under 35 U.S.C. § 112, first paragraph because the specification, while being enabling for the disclosed "isocyanate derivatives thereof" does not reasonably provide enablement for all of the things falling within the scope of the claim terminology as the term would be understood by the ordinarily skilled artisan.

After careful consideration of the Examiner's comments and discussion with Examiner Niland, claims 1, 20, and 33 have been amended to specify that the glass reinforcing fibers are sized with the material that contains at least one compound selected from the group consisting of polyurethane, polyurea, isocyanate derivatives of polyurethane, and isocyanate derivatives of polyurea. Support for this Amendment in claims 1, 20, and 33 is found in the specification at page 9, paragraph 33, where it states that the sizing composition contains "at least one of the group which includes polyurethane, polyurea, and isocyanate derivatives

Application Serial No. 09/943,784
Date November 1, 2004

Page 13

thereof." It is respectfully submitted that the term isocyanate derivatives thereof is taken to mean isocyanate derivatives of polyurethane and/or polyurea.

In view of the foregoing, it is submitted that the invention as set forth in claims 1-35 now comports with the requirements of 35 U.S.C. § 112, first paragraph.

Claims 1-41 currently stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that is regarded as the invention. It is respectfully submitted that amendment to claims 1, 20, and 33 as previously discussed addresses the concerns raised with regard to 35 U.S.C. § 112, second paragraph.

Additionally, claims 20, 36, and 38 have been amended to present the claims in a proper Markush format.

In summary, claims 1, 20, 33, 36, and 38 have been amended by this action. In view of this action, it is submitted that the invention as set forth in claims 1-40 comports with the requirements of 35 U.S.C. § 112, first and second paragraphs, and is in a condition suitable for allowance. Notice of Allowance is, therefore, respectfully requested.

Respectfully submitted,

YOUNG & BASILE, P.C.



Denise M. Glassmeyer
Attorney for Applicant(s)
Registration No. 31831
(248) 649-3333
(248) 649-3338 (fax)
glassmeyer@ybpc.com

3001 West Big Beaver Road, Ste 624
Troy, Michigan 48084-3107
Dated: September 30, 2004
DMG/ljo